

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

CRIMINAL CASE NO. 3:00cr42

UNITED STATES OF AMERICA,)
)
)
)
vs.)
)
)
DESMOND SENTELL DAILEY.)
)

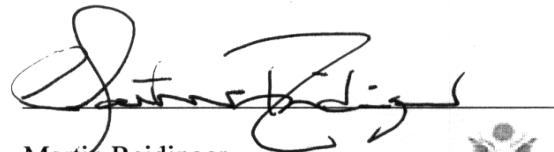
O R D E R

THIS MATTER is before the Court *sua sponte*.

On April 29, 2008, counsel was appointed to investigate whether the Defendant was entitled to any relief pursuant to the Crack Cocaine Guideline Amendment (Amendment 706). [Doc. 117]. Although counsel submitted a voucher and was paid, he did not file anything in the record to advise whether the Defendant is eligible for such relief. [Doc. 132, filed July 29, 2008]. As a result, the Court will require counsel to so advise.

IT IS, THEREFORE, ORDERED that on or before fifteen days from entry of this Order, counsel shall file either a motion for reduction of sentence or a notice of ineligibility, whichever is applicable to this Defendant.

IT IS SO ORDERED.



Martin Reidinger
United States District Judge



Signed: February 6, 2009